



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Denial of Verified Claim(s) against the City of Lodi

MEETING DATE: March 20, 2002

SUBMITTED BY: Human Resources Director

RECOMMENDED ACTION: To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

- | | | |
|----|-------------------|--------------|
| A) | Kaul, Diana | DOL: 1/29/02 |
| B) | Tonkin, Don | DOL: 1/14/02 |
| C) | Woodward, Richard | DOL: 1/3/02 |

BACKGROUND INFORMATION: Following review of verified claims filed against the City of Lodi, the City's contract administrator, Insurance Consulting Associates, Inc. (ICA) and Human Resources staff, recommend the City deny the subject claims.

FUNDING: None Required.

Respectfully submitted,


Kirk Evans, Risk Manager

cc: City Attorney

APPROVED: _____

H. Dixon Flynn -- City Manager

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
SUSAN HITCHCOCK,
Mayor Pro Tempore
EMILY HOWARD
KEITH LAND
ALAN NAKANISHI

CITY OF LODI

CITY HALL
221 WEST PINE STREET, P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
HUMAN RESOURCES: (209) 333-6704
FAX (209) 333-6816

H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

Notice of Claim Rejection

March 21, 2002

Diana Kaul
1716 LeBec Court
Lodi, CA 95240

RE: Claim against the City of Lodi

Claimant: Diana Kaul
Date of Loss: 1/29/02
Our Claim Number: 750-02

Dear Claimant:


Notice is hereby given that the claim you presented to the City of Lodi on February 25, 2002 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,


Susan Blackston
City Clerk

cc: City Attorney
Risk Manager
ICA

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Notice of Claim Rejection

March 21, 2002

Don Tonkin
109 S. Fairmont Ave.
Lodi, CA 95240

RE: Claim against the City of Lodi

Claimant: Don Tonkin
Date of Loss: 1/16/02
Our Claim Number: 746-02

Dear Claimant:

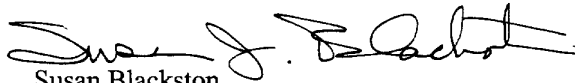
Notice is hereby given that the claim you presented to the City of Lodi on February 11, 2002 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,


Susan Blackston
City Clerk

cc: City Attorney
Risk Manager
ICA

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Notice of Claim Rejection

March 21, 2002

Richard Woodward
345 E. Pine St.
Lodi, CA 95240

RE: Claim against the City of Lodi

Claimant: Richard Woodward
Date of Loss: 1/03/02
Our Claim Number: 743-02

Dear Claimant:

Notice is hereby given that the claim you presented to the City of Lodi on February 4, 2002 was rejected as of the date of this letter.

Notice

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code §945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to §128.7 and §1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,



Susan Blackston
City Clerk

cc: City Attorney
Risk Manager
ICA